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General Assembly

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Resolution adopted by the General Assembly

[*on the report of the Third Committee (A/57/556/Add.2 and Corr.1-3)*]

57/219. Protection of human rights and fundamental freedoms while countering terrorism

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Reaffirming also the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law,

Recalling that States are under the obligation to protect all human rights and fundamental freedoms of all persons,

Recalling also the relevant resolutions of the General Assembly and the Security Council on measures to eliminate international terrorism,

Recalling further its resolution 48/141 of 20 December 1993 and, inter alia, the responsibility of the United Nations High Commissioner for Human Rights to promote and protect the effective enjoyment of all human rights,

Reiterating paragraph 17 of section I of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[1] which states that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity, security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,

Noting its resolution 56/160 of 19 December 2001 and noting also Commission on Human Rights resolution 2002/35 of 22 April 2002,[2] on human rights and terrorism,

Reaffirming its unequivocal condemnation of all acts, methods and practices of terrorism, in all their forms and manifestations, wherever and by whomsoever

[1] A/CONF.157/24 (Part I), chap. III.

[2] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Stressing that everyone is entitled to all the rights and freedoms recognized in the Universal Declaration of Human Rights[3] without distinction of any kind, including on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in accordance with article 4 of the International Covenant on Civil and Political Rights,[4] certain rights are recognized as non-derogable in any circumstances and that any measures derogating from the provisions of the Covenant must be in accordance with that article in all cases, and underlining the exceptional and temporary nature of any such derogations,

1. *Affirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

2. *Encourages* States, while countering terrorism, to take into account relevant United Nations resolutions and decisions on human rights, and encourages them to consider the recommendations of the special procedures and mechanisms of the Commission on Human Rights and the relevant comments and views of United Nations human rights treaty bodies;

3. *Requests* the United Nations High Commissioner for Human Rights, making use of existing mechanisms:

(*a*) To examine the question of the protection of human rights and fundamental freedoms while countering terrorism, taking into account reliable information from all sources;

(*b*) To make general recommendations concerning the obligation of States to promote and protect human rights and fundamental freedoms while taking actions to counter terrorism;

(*c*) To provide assistance and advice to States, upon their request, on the protection of human rights and fundamental freedoms while countering terrorism, as well as to relevant United Nations bodies;

4. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Commission on Human Rights at its fifty-ninth session and to the General Assembly at its fifty-eighth session.

77th plenary meeting
18 December 2002

[3] Resolution 217 A (III).

[4] See resolution 2200 A (XXI), annex.